IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

SLIDE FIRE SOLUTIONS, LP,	)	
	)	CASE NO.
Plaintiff,	)	
	)	
v.	)	
	)	
BAIR ARMS LLC,	)	
	)	**JURY DEMANDED**
Defendant.	)	
	)	

COMPLAINT

Plaintiff Slide Fire Solutions, LP ("Slide Fire") states as follows for its complaint against Bair Arms LLC ("Bair Arms"):

Nature of the Action

1. This is an action for patent infringement. Bair Arms has made, used, offered for sale and sold gun stocks that infringe Slide Fire United States Patent Nos. 8,127,658 (the "'658 Patent") and 9,546,836 (the "'836 Patent).

Parties, Jurisdiction and Venue

2. Plaintiff Slide Fire is a Texas limited partnership in the business of marketing and selling firearms and accessories to firearms including sliding rifle stocks. Slide Fire has a principal place of business at 760 FM 2408, Moran, Texas, 76464.

3. Defendant Bair Arms is a Virginia limited liability company in the business of marketing and selling certain firearm parts and accessories, including, but not necessarily limited to, a series of slide-action Bump Fire Assistance Devices for a variety of rifle platforms including: AR15, AK-47, 10/22, SIG MPX, CZ Scorpion (collectively "Bump Fire products"). According to the defendant's website, Bump Fire products are "coming soon" for additional rifle

platforms including FN SCAR 16, ZENITH Z-5, and KELTEC SUB 2K. On information and belief, defendant has a principal place of business at 11802 Tree Fern Ct., Reston, VA. 20191.

4. This Court has subject matter jurisdiction based upon 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over Bair Arms under the Texas long-arm statute, Tex. Civ. Prac. & Rem. Code § 17.042, for at least the following reasons:

a. using the website www.bairarms.com and/or www.arbumpfiregrip.com Bair Arms solicits Texas prospective customers to purchase its infringing products;

b. as described more fully below, Bair Arms has committed acts of patent infringement within Texas;

c. Slide Fire sells approximately 45% of its gunstocks to Texas residents; on information and belief, a substantial percentage of Bair Arm's sales of infringing products are likewise made to Texas residents;

6. Bair Arm's contacts with Texas are sufficiently numerous and substantial such that subjecting Bair Arms to this Court's general and/or specific jurisdiction does not offend traditional notions of fair play and substantial justice.

7. Venue is proper in this district.

Factual Allegations

8. Slide Fire incorporates by reference paragraphs 1–7.

9. Slide Fire makes and sells patented rifle gunstocks designed for certain semi-automatic rifles, distinguished by their unique linear slide-action shooting motion.

10. On August 18, 2015, Slide Fire, through its attorneys, wrote to Bair Arms, advising that a slide-action grip being offered for sale on the Bair Arms website infringed numerous Slide Fire patents, including the '658 Patent.

11. On September 10, 2015, Bair Arms, through its attorneys, agreed in writing to cease all manufacture of the accused product.

12. On or about January 5, 2017, Slide Fire became aware that Bair Arms was selling on-line and through gun shows a modified bump fire assistance device branded the AK Bump Grip, which again incorporated a linear slide-action feature.

13. On January 25, 2017, Slide Fire, through its attorneys, again wrote to attorneys representing Bair Arms, requesting that Bair Arms discontinue its marketing of the AK Bump Grip in view of three patents, including the '658 Patent.

14. The Attorneys representing Bair Arms acknowledged Slide Fire's January 2017 communication but Bair Arms continues to offer and sell the AK Bump Grip under the current name "AK GEN2 BUMP FIRE" or "Gen2AK." Moreover, since January 2017, Bair Arms has modified its Bump Fire products to include a retractable lock pin feature and has greatly expanded its range of rifle platforms for the Bump Fire products to include the AR15, the Ruger 10/22, the SIG MPX and the CZ Scorpion. According to the Bair Arms website, Bump Fire products for these rifle platforms (and the previously mentioned AK47) are available to the public, including through its website. Moreover, according to the Bair Arms website, Bump Fire products for these additional rifle platforms are coming soon: the FN SCAR 16, the ZENITH Z-5 and the KELTEC SUB 2K.

Count I: Infringement of United States Patent No. 8,127,658

15. Slide Fire incorporates by reference paragraphs 1-14.

16. United States Patent No. 8,127,658 (the '658 Patent"), entitled "Method of Shooting a Semi-Automatic Firearm," was duly and legally issued by the United States Patent and Trademark Office ("USPTO"), naming Jeremiah Cottle as the sole inventor, on March 6, 2012, after full and fair examination. On November 11, 2015, third-party Bump Fire Systems

LLC filed an *ex parte* reexamination request against the ‘658 Patent. On October 7, 2016, after full and thorough review of all of the arguments raised by the third party, the USPTO issued a reexamination certificate affirming the patentability of claims 1-18 of the ‘658 Patent.

17. Slide Fire owns all of the rights and interest in, and is the assignee of, the ‘658 Patent.

18. Bair Arms is directly infringing, as well as inducing infringement and/or committing contributory infringement of claims of the ‘658 Patent by making, using, importing, selling, and/or offering for sale in the United States, including the Northern District of Texas, the Bump Fire products. Bair Arms Systems has done so despite actual knowledge of the ‘658 Patent. The Bump Fire products constitute a material part of the claimed inventions of the ‘658 Patent, which Bair Arms knows is especially made or especially adapted for use in an infringement of the ‘658 Patent and is not a staple article or commodity of commerce suitable for substantial noninfringing use.

19. The claim chart attached as Exhibit A to the complaint shows that Bair Arms is directly infringing, either literally or under the doctrine of equivalents, at least claims 1-3 and 13-15 of the ‘658 Patent.

20. The claim chart attached as Exhibit A and the evidence identified therein also shows that Bair Arms is inducing infringement of at least claims 1-3 and 13-15 of the ‘658 Patent.

21. The claim chart attached as Exhibit A and the evidence identified therein also shows that Bair Arms is committing contributory infringement of at least claims 1-3 and 13-15 of the ‘658 Patent. The Bump Fire products constitute a material part of those claimed inventions of the ‘658 Patent, which Bair Arms knows is especially made or especially adapted

for use in an infringement of the ‘658 Patent and is not a staple article or commodity of commerce suitable for substantial noninfringing use.

22. Bair Arms infringement is exceptional within the meaning of 35 U.S.C. § 285, justifying treble damages pursuant to 35 U.S.C. § 284 and attorney fees pursuant to § 285.

23. On information and belief, Bair Arms will continue to infringe the ‘658 Patent, causing immediate and irreparable harm, unless this Court enjoins and restrains Bair Arms Systems’ activities.

24. On information and belief, the infringement by Bair Arms has and will deprive Slide Fire of sales, profits, and other related revenue that Slide Fire would have made or would enjoy in the future, has injured Slide Fire in other respects, and will cause Slide Fire irreparable harm unless Bair Arms is enjoined from infringing the ‘658 Patent.

Count II: Infringement of United States Patent No. 9,546,836

25. Slide Fire incorporates by reference paragraphs 1–24.

26. United States Patent No. 9,546,836 (the ‘836 Patent”), entitled “Slide Stock for Firearm with Retractable Lock Pin,” was duly and legally issued by the United States Patent and Trademark Office (“USPTO”), naming Jeremiah Cottle and David Compton as inventors, on January 17, 2017, after full and fair examination.

27. Slide Fire owns all of the rights and interest in, and is the assignee of, the ‘836 Patent.

28. Bair Arms is directly infringing, as well as inducing infringement and/or committing contributory infringement of claims of the ‘836 Patent by making, using, importing, selling, and/or offering for sale in the United States, including the Northern District of Texas, the Bump Fire products. Bair Arms Systems has done so despite actual knowledge of, or willful blindness about, the ‘836 Patent. The Bump Fire products constitute a material part of the

claimed inventions of the ‘836 Patent, which Bair Arms knows is especially made or especially adapted for use in an infringement of the ‘836 Patent and is not a staple article or commodity of commerce suitable for substantial noninfringing use.

29. The claim chart attached as Exhibit B to the complaint shows that Bair Arms is directly infringing, either literally or under the doctrine of equivalents, at least claims 1-3, 11, 16 and 19 of the ‘836 Patent.

30. The claim chart attached as Exhibit B and the evidence identified therein also shows that Bair Arms is inducing infringement of at least claims 1-3, 11, 16 and 19 of the ‘836 Patent.

31. The claim chart attached as Exhibit B and the evidence identified therein also shows that Bair Arms is committing contributory infringement of at least claims 1-3, 11, 16 and 19 of the ‘836 Patent. The Bump Fire products constitute a material part of those claimed inventions of the ‘836 Patent, which Bair Arms knows is especially made or especially adapted for use in an infringement of the ‘836 Patent and is not a staple article or commodity of commerce suitable for substantial noninfringing use.

32. Bair Arms Systems’ infringement is exceptional within the meaning of 35 U.S.C. § 285, justifying treble damages pursuant to 35 U.S.C. § 284 and attorney fees pursuant to § 285.

33. On information and belief, Bair Arms Systems will continue to infringe the ‘836 Patent, causing immediate and irreparable harm, unless this Court enjoins and restrains Bair Arms Systems’ activities.

34. On information and belief, the infringement by Bair Arms Systems has and will deprive Slide Fire of sales, profits, and other related revenue that Slide Fire would have made or would enjoy in the future, has injured Slide Fire in other respects, and will cause Slide Fire irreparable harm unless Bair Arms Systems is enjoined from infringing the ‘836 Patent.

PRAYER FOR RELIEF

Slide Fire prays that this Court enter judgment in favor of Slide Fire and against Bair Arms on all claims asserted by Slide Fire:

A. Entering preliminary and permanent injunctions against Bair Arms as provided by, for example, 35 U.S.C. § 283, enjoining it, its directors, officers, agents, employees, successors, subsidiaries, assigns, and all persons in active concert, privity, or participation with Bair Arms from making, using, selling, or offering for sale in the United States, or importing into the United States, any and all products and/or services embodying the patented inventions claimed in the '658 and '836 Patents;

B. Ordering Bair Arms to provide an accounting of all sales activity relating to the Bump Fire products, together with an itemized list of all persons to whom it has sold the gunstocks, including their addresses and other contact information;

C. Ordering Bair Arms to notify immediately every person and entity to whom it has sold or otherwise contracted to provide the Bump Fire products that Slide Fire holds the patents on the technology and that it cannot legally sell the Bump Fire products;

D. Awarding such damages to Slide Fire to which it is entitled, pursuant to 35 U.S.C. § 284;

E. Awarding Slide Fire enhanced damages pursuant to 35 U.S.C. § 284;

F. Awarding Slide Fire pre-judgment and post-judgment interest as allowed by law;

G. Awarding Slide Fire its costs, expenses, and fees, including reasonable attorneys' fees, pursuant to 35 U.S.C. § 285 and/or other applicable statutes;

H. Holding that Bair Arms acted willfully in causing damage to Slide Fire; and

I. Awarding Slide Fire such other and further relief as the Court deems just, equitable, and proper.

Jury Demand

Slide Fire demands a jury.

Respectfully submitted,

_/s/ Jerry R. Selinger_________________

Jerry R. Selinger
Texas State Bar No. 18008250
PATTERSON + SHERIDAN, LLP
Email: jselinger@pattersonsheridan.com
1700 Pacific Avenue, Suite 2650
Dallas, Texas 75201
Telephone: 214-272-0957
Facsimile: 713-623-4846

ATTORNEYS FOR PLAINTIFF
SLIDE FIRE SOLUTIONS, L.P.